

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P037530/WO/1	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/000382	International filing date (day/month/year) 20.01.2004	Priority date (day/month/year) 24.01.2003
International Patent Classification (IPC) or national classification and IPC B60J 3/02		
Applicant DAIMLERCHRYSLER AG		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.	
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>2</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application	
Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/	Authorized officer
Facsimile No.	Telephone No.

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Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-10 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 7, 8 _____ as originally filed/furnished
- nos.* 1-6 _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/3-3/3 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-6	YES
	Claims		NO
Inventive step (IS)	Claims	1-6	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

D1: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 19,
5 June 2001 (2001-06-05) -& JP 2001 055042 A
(NEOEX LAB INC), 27 February 2001
(2001-02-27)

D2: PATENT ABSTRACTS OF JAPAN vol. 1998, no. 09,
31 July 1998 (1998-07-31) -& JP 10 100671 A
(DELTA KOGYO CO LTD), 21 April 1998
(1998-04-21)

1. Independent claim 11.1 Novelty

D1, which is considered to be the closest prior art,
discloses:

- A sun visor for vehicles, said visor having a hollow visor body and a holder for storing a flat article, there being formed in the visor body a slit-shaped receiving opening through which the article can be inserted into a receiving area arranged in the cavity

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

of the visor body.

The subject matter of the present claim 1 differs therefrom in that

- the sun visor has two joined half-shells, and at least one half-shell has the slit-shaped receiving opening, the article being storable inside the sun visor by being wedged between the two half-shells.

The subject matter of the present claim 1 therefore appears to satisfy the criterion of PCT Article 33(2), because the subject matter of the only independent claim, claim 1, is novel over the prior art as defined in the Regulations (PCT Rule 64.1 to 64.3).

1.2 Inventive step

Proceeding from the cited prior art, the problem addressed by the present invention can therefore be considered that of developing a sun visor as defined in the preamble of independent claim 1 in such a way as to provide the simplest possible design.

The solution defined in claim 1 does not appear to be known *per se* from any of the documents under consideration in this procedure or to be obvious from the prior art as a whole.

The subject matter of the present claim 1 therefore appears to satisfy the criterion of PCT Article 33(3), because the

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citations and explanations supporting such statement

subject matter of claim 1 appears to involve an inventive step (PCT Rule 65.1 and 65.2).

2. Dependent claims 2-6

Dependent claims 2-6, which concern further embodiments of the invention defined in claim 1, likewise appear to satisfy the requirements of PCT Article 33(2) to (4)).